

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08cv230**

FIRST UNION RAIL CORPORATION,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
SPRINGFIELD TERMINAL RAILWAY COMPANY; MAINE CENTRAL RAILROAD COMPANY; BOSTON AND MAINE CORPORATION; and PAN AM RAILWAYS, INC.,)	
)	
Defendants.)	
)	

THIS MATTER is before the court on notification by counsel for plaintiff that all issues have been amicably resolved prior to trial. The court will, therefore, cancel the final pretrial conference and remove this matter from the trial calendar. A deadline for submitting a proposed consent judgment or Rule 41 dismissal will be established and absent submission by such date, the matter will be restored to the trial calendar.

ORDER

IT IS, THEREFORE, ORDERED that this matter is **REMOVED** from the trial calendar set for November 30, 2009, and the final pretrial conference calendar set for November 12, 2009. The parties shall file a joint stipulation of dismissal or proposed consent judgment not later than November 5, 2009. If the dismissal or proposed consent judgment is not filed then the matter shall be restored to the trial

calender for November 30, 2009 and the pretrial conference set for November 12, 2009 shall be recalendered.

Signed: October 22, 2009

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

